

UNITED STATES BANKRUPTCY
COURT SOUTHERN DISTRICT OF
NEW YORK

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	:	
In re	:	Chapter 11
	:	
BH SUTTON MEZZ LLC, et al.,	:	Case No. 16-10455 (SHL)
	:	(Jointly Administered)
Debtors.	:	
	:	
.....	X	

AGREED ORDER

WHEREAS, Sutton 58 Associates LLC (the “Movant”) has previously filed a Motion For Order Dismissing Chapter 11 Case Pursuant To Bankruptcy Code § 1112(B) or, in the Alternative, Modifying the Automatic Stay Pursuant to Bankruptcy Code § 362(d)(1) (the “Motion”)[Dkt. No. 14], which Motion was opposed by debtor BH Sutton Mezz LLC [Dkt. No. 38] and the Official Committee of Unsecured Creditors [Dkt. No. 39];

NOW, THEREFORE, IT IS HEREBY ORDERED THAT, in accordance with the record hearing held on April 28, 2016, the Motion is hereby withdrawn without prejudice;

AND IT IS FURTHER ORDERED that the Motion may be renewed and reinstated by the Movant’s filing of a notice of reinstatement (the “Notice”) on the Court’s docket in these cases;

AND IT IS FURTHER ORDERED that upon the filing of the Notice, the papers previously served and filed by all parties in connection with the Motion shall, without further action by any party, be deemed to have been served and filed in connection with the renewed Motion;

AND IT IS FURTHER ORDERED that, if the Motion is reinstated, the parties shall promptly contact the Court regarding scheduling for the reinstated Motion, including but not limited to whether any additional briefing is appropriate.

AGREED AND CONSENTED TO:

By: /s/ P. Bradley O'Neill
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*Proposed Counsel to BH Sutton Mezz LLC
and Sutton 58 Owner LLC*

Dated: New York, New York
May 6, 2016

Dated: May 12, 2016

/s/ Sean H. Lane
United States Bankruptcy Judge